

EXEMPTION CLAIM, FORM BE-13

(Initial Report on a Foreign Person’s Direct or Indirect Acquisition, Establishment, or Purchase of the Operating Assets, of a U.S. Business Enterprise, Including Real Estate)

CONTROL NUMBER

The combined public reporting burden for related Forems BE-13, BE-13 Supplement C, and BE-14 is estimated to vary from 1 to 4 hours per response, with an average of 1.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Director, Bureau of Economic analysis (BE-1), U.S. Department and Commerce, Washington, DC 20230; and to the Office of Management and Budget, Paperwork Reduction Project 0608-0035, Washington, DC 20503.

ELECTRONIC FILING See our web site at www.bea.gov/astar for details.

MAIL REPORTS TO

U.S. Department of Commerce
Bureau of Economic Analysis
BE-49(NI)
Washington, DC 20230

DELIVER REPORTS TO

U.S. Department of Commerce
Bureau of Economic Analysis, BE-49(NI)
Shipping and Receiving Section M-100
1441 L Street, NW
Washington, DC 20005

Mandatory – This survey is being conducted pursuant to the International Investment and Trade in Services Survey Act (P.L. 94-472, 90 Stat. 2059, 22 U.S.C., 3101-3108, as amended – hereinafter "the Act"), and the filing of reports is MANDATORY pursuant to Section 5(b)(2) of the Act (22 U.S.C. 3104). The implementing regulations are contained in Title 15 CFR Part 806.

This report has been approved by the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. 3501, et seq.).

Penalties – Whoever fails to report may be subject to a civil penalty of not less than \$2,500, and not more than \$25,000, and to injunctive relief commanding such person to comply, or both. Whoever willfully fails to report shall be fined not more than \$10,000 and, if an individual, may be imprisoned for not more than one year, or both. Any officer, director, employee, or agent of any corporation who knowingly participates in such violation, upon

conviction, may be punished by a like fine, imprisonment, or both. (22 U.S.C. 3105)

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

Confidentiality – The Act provides that your report to this Bureau is CONFIDENTIAL, and may be used only for analytical or statistical purposes. Without your prior written permission, the information filed in your report CANNOT be presented in a manner that allows it to be individually identified. Your report CANNOT be used for purposes of taxation, investigation, or regulation. Copies retained in your files are immune from legal process.

This U.S. business enterprise is exempt from filing a Form BE-13 because:
Mark (X) one of items 1 through 5

1.

160

This U.S. business enterprise is not a U.S. affiliate of a foreign person, i.e., is not owned to the extent of 10 percent or more, directly or indirectly, by a foreign person.
2.

110

This acquisition is exempt from being reported because the U.S. business enterprise, or the business segment or operating unit of a U.S. business enterprise, was acquired by an existing U.S. affiliate who then **merged** it into its own operations **and** the total cost of the acquisition was \$3 million or less, and did not involve the purchase of 200 acres or more of U.S. land. (If the purchase involves 200 acres or more of U.S. land, it must be reported regardless of the total cost of the acquisition.) **Enter the total cost and number of acres.**
3.

150

This acquisition is not required to be reported since it represents U.S. real estate acquired by a foreign person(s) held **exclusively** for personal use and not for profitmaking purposes.
4.

205

This U.S. business enterprise is a U.S. affiliate of a foreign person but is exempt because, on a fully consolidated domestic U.S. basis

(a) Total assets (not the foreign parent's or existing U.S. affiliate's share) at the time of acquisition or immediately after being established were \$3 million or less;

and

(b) The U.S. affiliate does not own 200 acres or more of U.S. land (if the U.S. affiliate owns 200 acres or more of U.S. land, it must report regardless of the value of the total assets).

Enter value or amount for each

i. Total assets (do not net out liabilities)

131

ii. Sales or gross operating revenues, excluding sales taxes (do not give gross margin)

201

iii. Net income after provision for U.S. income taxes

133

iv. Number of acres of U.S. land owned (to nearest whole acre)

135

v. Industry of this affiliate – Enter the 4-digit ISI code of the industry with the largest sales or gross operating revenues. See the list of ISI codes, pages 5 and 6 of Form BE-13.

103

and complete the following

vi. Country of foreign parent

vii. Country of ultimate beneficial owner

Amount of total cost				
Bil.	Mil.	Thous.	Dols.	
1				
173	\$			
Number of acres (to nearest whole acre)				
1				
135				

Bil.	Mil.	Thous.	Dols.
1			
\$			
2			
\$			
1			
\$			
Number			
1			
ISI Code			
1			
103			

BEA USE ONLY

1

108

1

124

PERSON TO CONSULT CONCERNING QUESTIONS ABOUT THIS REPORT — Enter name and address

Name 1000 1

Address

TELEPHONE NUMBER 1001

1

Area code

2

Number

3

Extension

FAX NUMBER

4

Area code

5

Number

May we use e-mail to correspond with you to discuss questions relating to this Form BE-13 Supplement C, including questions that may contain information about this transaction that you may consider confidential? (Note that electronic mail is not inherently confidential; we will treat information we receive as confidential, but your e-mail is not necessarily secure against interception by a third party.)

1027

1

Yes — If yes, please provide your e-mail address. →

1

2

No

E-mail address

1

1028

CERTIFICATION — The undersigned official certifies that this report has been prepared in accordance with the applicable instructions, is complete, and is substantially accurate except that, in accordance with III.G. of the **Instructions**, estimates have been provided where data are not available from customary accounting records or precise data could not be obtained without undue burden.

Authorized official's signature

Date

Print or type name and title

Telephone number

FAX number

5. 14 ☐ Other – Specify and include reference to section of regulations or instructions on which claim is based. ↗

6. If item 2 or item 4 was marked, enter date transaction was completed →

102	Month	Day	Year
	1		

7. Name and address

- (i) If item 1, 3, or 5 was marked, enter name and address in **a.** below of the U.S. business enterprise (including real estate) claiming an exemption.
- (ii) If item 2 or 4 was marked, enter the name and address of the new U.S. affiliate acquired or established in **a.** below. If the transaction involved an acquisition by an existing U.S. affiliate, also give name and address of the existing U.S. affiliate in **b.** below that made the acquisition, and the percentage of ownership it acquired.

a. Name and address of new U.S. affiliate acquired or established, or the entity claiming an exemption.

Name

104

Street or PO Box

105

City and State

ZIP Code

106

b. Name and address of existing U.S. affiliate and percent acquired of affiliate named in **a.** above (if (ii) applies).

Name

147

Street or PO Box

148

City and State

ZIP Code

149

% of **a.** acquired

109

Remarks